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**RECEIVED**

**MAR - 1 2016**

AT 8:30 \_\_\_\_\_M  
WILLIAM T. WALSH, CLERK

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA, ex rel.  
SLOWIK,**

*Plaintiffs,*

v.

**OLYMPUS AMERICA, INC., et al.,**  
*Defendants.*

**HONORABLE JOSE L. LINARES**

*Civil Action No.: 10-5994 (JLL)*

**FILED IN CAMERA AND UNDER SEAL**

**UNITED STATES NOTICE OF ELECTION TO INTERVENE**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court of its decision to intervene in this action for settlement purposes.

The parties have reached a settlement of the claims in the action. Pursuant to the terms and conditions of the settlement agreement a stipulation of dismissal will be filed following the payment of the settlement amount and entry of a deferred prosecution agreement filed this date.

In accordance with this Court's prior order of February 8, 2016, the filing of this notice also results in this matter being administratively reopened; the Corrected Second Amended Complaint, the Government's Notice of Election, and this Order being unsealed; all other papers or Orders on file in this matter remaining under seal; and the seal being lifted on all pleadings filed in this action after the filing of this Notice of Election.

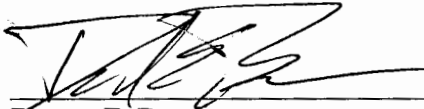
Dated: March, 1, 2016  
Newark, New Jersey

Respectfully submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General

PAUL J. FISHMAN  
United States Attorney

By:

A handwritten signature in black ink, appearing to read 'D. Dauenhimer', is written over a horizontal line.

DAVID E. DAUENHEIMER  
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